

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

REV. NIGEL M. REID, Sr.

v.

OTTO PURKEY, *et al.*

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NO. 2:06-CV-40

ORDER OF JUDGMENT

In accordance with the accompanying memorandum opinion, the motion to dismiss filed by defendants Otto Purkey, Ronald Inman, Bobby Smith and Danny Laughners is **GRANTED** [Doc. 66], and this *pro se* former prisoner's civil rights action under 42 U.S.C. § 1983 is **DISMISSED** for failure to state a claim entitling him to relief.

Also, the Court **CERTIFIES** that any appeal from this order would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3). Therefore, should the plaintiff submit a notice of appeal, he must also tender the full appellate filing fee of four hundred, fifty dollars (\$450) or alternatively, if he is indigent, he must file a motion to proceed *in forma pauperis*, which, if he has been re-incarcerated, must be accompanied by his financial affidavit and a certified copy of his inmate trust account statement for the six months preceding the filing of any such a notice. *McGore v. Wrigglesworth*, 114 F.3d 601, 607 (6th Cir. 1997).

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan
United States District Judge

ENTERED AS A JUDGMENT
s/ Patricia L. McNutt
CLERK OF COURT